

MN Department of Human Services
Social Services Manual

Provision of Public Social Services

III-1000

Based on statutes and rules in effect as of 02/02/99

III Provision of Public Social Services

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III Community Social Services Act

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Introduction

III-1100

The purpose of the “Community Social Services Act” is to establish a system of planning for and provision of community social services administered by the boards of county commissioners of each county under the supervision of the Commissioner of Human Services.

Minn. Stat. 256E.02

Authority

III-1110

1. Minn. Stat. 256E (1998) (Community Social Services Act).
2. Minn. Stat. 256G (1998) (Unitary Residence and Financial Responsibility).
3. Minn. Stat. 393 (1998) (Local Social Services Agency).
4. Minn. Stat. 402 (1998) (Human Services Act).

Definitions

III-1120

1. Community Social Services: Services provided or arranged for by county boards to fulfill the responsibilities to certain groups of persons.

Adapted from Minn. Stat. 256E.03, subd. 2(a)

2. Commissioner: The Commissioner of Human Services.

Minn. Stat. 256E.02, subd. 3

3. State Social Services Plan: The state social services plan developed pursuant to Minn. Stat. 256E.04.

Minn. Stat. 256E.03, subd. 4

4. County Plan: The community social services plan required by Minn. Stat. 256E.09.

Minn. Stat. 256E.03, subd. 5

5. County Board: The board of county commissioners in each county.

Minn. Stat. 256E.03, subd. 6

6. Human Services Board: A board established pursuant to Minn. Stat. 402.02.

Minn. Stat. 256E.03, subd. 7

Groups to be Served

III-1200

County boards of commissioners are required to plan for and provide community social services to the following groups of persons:

1. families with children under age 18, who are experiencing child dependency, neglect or abuse, and also pregnant adolescents, adolescent parents under the age of 18 and their children; and other adolescents;

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2. persons, including adolescents, who are under the guardianship of the commissioner of human services as dependent and neglected wards;
3. adults who are in need of protection and vulnerable as defined in Minn. Stat. 626.5572;
4. persons age 60 and over who are experiencing difficulty living independently and are unable to provide for their own needs;
5. emotionally disturbed children and adolescents, chronically and acutely mentally ill persons who are unable to provide for their own needs or to independently engage in ordinary community activities;
6. persons with mental retardation as defined in Minn. Stat. 252A.02, subd. 2 or with related conditions as defined in Minn. Stat. 252.27, subd. 1a, who are unable to provide for their own needs or to independently engage in ordinary community activities;
7. drug dependent and intoxicated persons, including adolescents, as defined in Minn. Stat. 254A.02, subd. 5 and 7, and persons, including adolescents, at risk of harm to self or others due to the ingestion of alcohol or other drugs;
8. parents whose income is at or below 70 percent of the state median income and who are in need of child care services in order to secure or retain employment or to obtain the training or education necessary to secure employment;
9. children and adolescents involved in or at risk of involvement with criminal activity; and
10. other groups of persons who, in the judgment of the county board, are in need of social services.

Minn. Stat. 256E.03, subd. 2

Duties of the Commissioner of Human Services

III-1300

General Supervision

III-1310

The Commissioner of Human Services must supervise the community social services administered by the counties through:

1. standard-setting;
2. technical assistance to the counties;
3. approval of county plans;
4. preparation of the state biennial plan;
5. evaluation of community social services programs; and
6. distribution of public money for services.

Minn. Stat. 256E.05, subd. 1

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Plan Approval

III-1320

Within 60 days after submission of the community social services plan by the counties, the Commissioner certifies whether the plan fulfills the purposes and requirements of state and federal law and the rules of the state agency. If the Commissioner certifies that the plan does not do so, the Commissioner states the reasons therefore, and the county has 30 days to submit a plan amended to comply with the requirements of the Commissioner. If the county fails to resubmit a plan amended as required by the Commissioner, the Commissioner notifies the county of the intention to reduce the next quarterly payment by an amount equal to one-third of one percent of the county's annual entitlement for each 30 day period during which the county fails to amend the plan as required by the Commissioner. The county board has the right to appeal the Commissioner's decision.

Minn. Stat. 256E.05, subd. 2

Additional Duties of the Commissioner

III-1330

The Commissioner must also:

1. provide necessary forms and instructions to the counties for plan format and information;
2. to the extent possible, coordinate other categorical social services grant applications and plans required of counties, so that applications and plans are included in and are consistent with the timetable and other requirements for the community social services plan;
3. provide to the chair of each county board timely advance notice and a written summary of the fiscal impact of any proposed new rule or changes in existing rule which will have the effect of increasing county costs for community social services;
4. provide training, technical assistance and other support services to county boards to assist in needs assessment, planning, implementing, and monitoring social services programs in the counties;
5. design and implement a method of monitoring and evaluating social services, including site visits that utilize quality control audits to assure county compliance with applicable standards, guidelines, and the county and state social services plans;
6. design and implement a system that uses corrective action procedures and a schedule of fines to ensure county compliance with statutes, rules, federal laws, and federal regulations governing community social services;
7. design and implement an incentive program for the benefit of counties that perform at a level that consistently meets or exceeds the minimum standards in law and rule. Fines collected under number 6 may be placed in an incentive fund and used for the benefit of counties that meet and exceed the minimum standards;

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8. specify requirements for reports, including fiscal reports, to account for aids distributed under Minn. Stat. 256E.06, funds from Title XX of the Social Security Act distributed under Minn. Stat. 256E.07, claims under Title IV-E of the Social Security Act, mental health funding, and other social services expenditures and activities; and
9. request waivers from federal programs as necessary to implement Minn. Stat. 256E.01 to 256E.12.

Adapted from Minn. Stat. 256E.05, subd. 3

Duties of the County Board of Commissioners

III-1400

Responsibilities

III-1410

The county board of each county is responsible for administration, planning and funding of community social services.

Each county board must singly or in combination with other county boards prepare a social services plan and shall update the plan biennially. Upon final approval of the plan by the county board or boards, the plan is submitted to the Commissioner. The county board distributes money available pursuant to Minn. Stat. 256E.06 and 256E.07 for community social services.

The authority and responsibilities of county boards for social services for groups of persons identified in Minn. Stat. 256E.03, subd. 2 includes contracting for or directly providing:

1. information about the symptoms and characteristics of specific problems of the identified groups to increase understanding and acceptance by the general public, to help alleviate fears of seeking help, and to enable access to appropriate assistance;
2. an assessment of the needs of each person applying for assistance which estimates the nature and extent of the problem to be addressed and identifies the means available to meet the person's needs. These diagnostic and evaluation activities evaluate the functioning of each person with regard to an illness or disability, screen for placement, and determine the need for services;
3. protection aimed at alleviating urgent needs of each person by determining urgent need, shielding persons in hazardous conditions when they are unable to care for themselves, and providing urgently needed assistance;
4. supportive and rehabilitative activities that assist each person to function at the highest level of independence possible for the person, preferably without removing the person from home. These activities include coordinating with local public rehabilitation agencies, local education agencies, and other agencies, both to increase the client's level of functioning and to maintain current levels of functioning;
5. a means of facilitating access of physically handicapped or impaired persons to activities appropriate to their needs;

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6. administrative activities to coordinate and facilitate the effective use of formal and informal helping systems to best address client needs and goals. This includes assisting the client in making informed decisions about opportunities and services, assuring timely access to needed assistance, providing opportunities and encouragement for self-help activities, and coordinating all services to meet the client's needs and goals. County case management is responsible for determining appropriate care and activities.

A county board may delegate to a local social services agency established under Chapter 393 authority to provide or approve contracts for the purchase of the kinds of community social services that were provided or contracted for by the county welfare boards before the enactment of Laws 1979, chapter 324. The county board determines how citizens will participate in the planning process, gives final approval to the community social services plan, and distributes community social services money.

Minn. Stat. 256E.08, subd. 1

County Staff

III-1420

The board may appoint a director of community social services to serve at the pleasure of the board and to perform the administrative functions required of the board. The board may assign to the director of community social services the duties of the welfare director as described in Minn. Stat. 393.04.

Minn. Stat. 256E.08, subd. 2

Contracts for Services

III-1430

The county board may contract for community social services programs with a human services board, a multicounty board established by a joint powers agreement, other political subdivisions, or private organizations. The final approval of the community social services plan is made by the county board of each county. Contracts must be in accordance with the provisions of Minnesota Rules, part 9550.0040.

Adapted from Minn. Stat. 256E.08, subd. 4

Delegation of Responsibilities

III-1440

The county board may delegate to a local social services agency authority to provide or approve contracts for the purchase of the kinds of community social services that were provided or contracted for by the county welfare boards before the enactment of Laws 1979, chapter 324.

Minn. Stat. 256E.08, subd. 1

Fees for Services

III-1450

The county board may establish a schedule of fees based upon clients' ability to pay to be charged to recipients of community social services. Payment, in whole or in part, for services may be accepted from any person except that no fee may be charged to persons or families whose adjusted gross household income is below the federal poverty level. When services are provided to any person, including a recipient of aids administered by the federal, state or county

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government, payment of any charges due may be billed to and accepted from a public assistance agency or from any public or private corporation.

Minn. Stat. 256E.08, subd. 6

Community Social Services Fund

III-1500

In the accounts and records of each county there must be a community social services fund. All monies provided for community social services programs and all other revenues, fees, grants-in-aid, gifts, or bequests designated for community services purposes must be identified in the record of the fund and in the report required in Minn. Stat. 256E.08, subd 8. This fund is used exclusively for planning and delivery of community social services. If county boards have joined for purposes of administering community social services, the county boards may create a joint community social services fund. If a human services board has been established, the human services board accounts for community social services monies.

Adapted from Minn. Stat. 256E.08, subd. 5

Financial Reporting by Counties

III-1510

Each county must submit to the Commissioner of Human Services a financial accounting of the county's community social services fund. A quarterly statement must be submitted no later than 15 days after the end of the calendar quarter, and must include:

1. a detailed statement of income and expenses attributable to the fund in the preceding quarter; and
2. a statement of the source and application of all money used for social services programs by the county during the preceding quarter, including the expenditures for each service provided, as required by the Commissioner of Human Services.

In addition, each county must submit to the Commissioner of Human Services no later than February 15 of each year, a detailed balance sheet of the community social development fund for the preceding calendar year.

County boards who have joined or designated human service boards for purposes of providing community social services programs, may submit a joint statement or the human service board must submit the statement, as applicable.

Adapted from Minn. Stat. 256E.08, subd. 8

Community Social Services Plan

III-1600

Plan Proposal

III-1610

The county board must publish and make available upon request to all county residents the proposed biennial community social services plan that will be considered by the county board in its budget deliberations. A narrative, summarized form of the proposed plan, setting forth approximate budgeting levels, may be made available to requesters.

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Minn. Stat. 256E.09, subd. 1

Citizen Participation

III-1620

The county board provides opportunities for participation by citizens in the county, including representatives of users of services, in the development of the biennial plan and in the allocation of money for community social services. At least 60 days prior to publication of the proposed plan the county board publishes the methods proposed to achieve citizen participation in the planning process.

Minn. Stat. 256E.09, subd. 2

Plan Content

III-1630

The biennial community social services plan includes:

1. a description of the planning process, including methods used to assess needs and obtain citizen input;
2. intended outcomes and outcome indicators for each program area;
3. a description of resources allocated within the county to support each program and service;
4. a description of services to be provided;
5. an analysis of the adequacy of resources available to support the community social services plan, including estimates of unmet needs;
6. a description of how the service system will be coordinated within each program area;
7. a statement signed by the county board or its designee that the county is in compliance with specified Minnesota Statutes.

Minn. Stat. 256E.09, subd. 3

Plan Submission and Certification

III-1640

The county board of commissioners submits the final biennial community social services plan to the Commissioner within 30 days after final adoption of the county budget by the county board. If the Commissioner's certification of the final plan is delayed beyond January 1 of the first year of the plan, the previous community social services plan remains in effect until the final plan is certified.

Adapted from Minn. Stat. 256E.09, subd. 1

Public Notice

III-1650

The county board publishes and makes available upon request to all county residents the proposed biennial community social services plan. A narrative summary of the proposed plan, with approximate budgeting levels, may be made available to requesters.

Adapted from Minn. Stat. 256E.09, subd. 1

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Plan Amendment

III-1660

After providing opportunity for public comment, the county may amend its plan. After approval of the amendment by the county board, the county submits its amendment to the Commissioner. The Commissioner certifies whether the amendment fulfills the purpose and requirements of law and the rules of the state agency.

Adapted from Minn. Stat. 256E.09, subd. 6

Biennial State Community Social Services Plan

III-1700

The Commissioner prepares a biennial social services plan and presents the plan to the governor and the legislature. The Commissioner updates the plan biennially. The plan includes:

1. a description of state social service programs and priorities;
2. an overview of all county biennial community social services plans;
3. identification of social services program requirements which counties have identified as unnecessarily administratively burdensome;
4. identification of social services program requirements for which inadequate state and local funding is available; and
5. identification of unmet needs reported by county agencies.

The Commissioner consults with the heads of human service related state departments and agencies in preparing the coordination statement required by Minn. Stat. 256E.04.

Copies of the proposed state plan are made reasonably available to the public allowing sufficient time for public review and comment. Copies of the updated state social services plan are submitted to the governor and the legislature on July 1, after approval of county social service plans and any amendments to those plans are made available to the public.

Minn. Stat. 256E.04

Evaluation of Community Social Services

III-1800

County Evaluation

III-1810

Each county submits to the Commissioner a report on the effectiveness of the community social service programs in the county. The Commissioner in collaboration with county boards prescribes standard methods to be used by the counties in making the report. The report must be submitted no later than March 1 of each year and includes:

1. the number and type of recipients of each service; and
2. an evaluation on the basis of measurable program objectives and performance criteria for each county social service program.

Minn. Stat. 256E.10, subd. 1

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Statewide Evaluation

III-1820

At the end of the first year covered by the county biennial plan, the Commissioner prepares a report on the counties' progress in carrying out their plan and makes it available to interested parties.

At the end of each period covered by the counties' biennial community social services plan, the Commissioner prepares an evaluation of the effectiveness of the prior two years performance of each program in relation to identified public social problems, stating the measurable goals, objectives, methods, and outcome for those years, including the extent to which the numbers of persons and families proposed to be served by each category of social service were actually served, the direct cost, and the administrative cost per unit of social service for each category.

Minn. Stat. 256E.10, subd. 2